(2) THE MADRAS INDEBTED AGRICULTURISTS (TEMPORARY RELIEF) BILL, 1954.

THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, . . ."

* SRI V. GOPALA GOUNDER :—" On a point of order, there is a resolution standing in my name with regard to the Indebted Agriculturists (Temporary Relief) Bill, 1954, that is now coming up for discussion. I do not find it useful to press my resolution with regard to this Bill. In this connexion, I want to make it clear that whatever I may say or what I may do with regard to this Bill may not be binding on the members of the Tamilnad Toilers Party taken as a whole."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I beg to move . . ."

SRI Y. MANJAYA SHETTY :—" During the discussion on the South Kanara Cultivating Tenants Protection Bill, hon. Member Sri Kolkebail referred to the 'cheek' of Mr. Ananta Pai. May I know whether the Hon. Speaker has come to some decision whether it is a parliamentary or unparliamentary expression?"

MR. SPEAKER :—" I only said that I will go through the official proceedings and see what exactly Sri Kolkebail has said. I have been sitting here all the time and so I have not yet seen the proceedings. The hon. Member must give me some time."

SRI S. KOLKEBAIL :—" It is absolutely parliamentary."

SRI S. SWAYAMPRAKASAM :—" Sir, the Hon. the Minister for Revenue has moved that the Bill be taken into consideration. On a point of . . ."

MR. SPEAKER :—" He has not yet moved the Bill. As soon as he stood up, points of order were raised. So, let him move this Bill first."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Mr. Speaker, I beg to introduce the Madras Indebted Agriculturists (Temporary Relief) Bill [a], 1954, and move—

'*That the Bill be taken into consideration at once.*'

The object of introducing this Bill is as stated in the Statement of Objects and Reasons appended to the Bill itself. Hon. Members are aware that there has been continuous drought during the last five or six years in the State. It is only this year we have had timely rains and the agriculturists have welcomed it and are very enthusiastically taking to cultivation. Naturally, creditors will think that this is the best time for them to collect their dues from agriculturists and they will pounce upon them. This will retard the agriculturists' enthusiasm and make them not enthusiastic in their work. In order that the agriculturists may be spared the distractions and expenditure involved in litigation, this Bill has

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[a] **Published in the *Fort St. George Gazette*, dated 6th January 1954.**

been brought to give them some time of relief. There is a Tamil proverb, ' when a creditor demands money from the debtor, he feels very upset and even the ruler of Ceylon felt so in his distress '. This Bill has been brought forward to provide some temporary relief to the tenants and agriculturists for at least a year."

MR. SPEAKER :—" Motion moved—

' That the Madras Indebted Agriculturists (Temporary Relief) Bill, 1954, be taken into consideration at once.' "

V.—POINT OF ORDER *re* REWORDING OF BILL TO REPLACE AN ORDINANCE.

* SRI S. SWAYAMPRAKASAM :—" I rise on a very important point of order, Sir. Just now the Hon. Minister for Revenue has moved that this Bill be taken into consideration at once. The Bill is intended to replace the Ordinance that was issued on 5th December 1953. The Ordinance has been working. Now, in the last paragraph of the Statement of Objects and Reasons relating to this Bill, it is stated that the ' present Bill seeks to replace the Ordinance by an Act of the Legislature '. In this Bill with reference to suggestions received with respect to the provisions of the Ordinance, certain changes have been made in the definitions of certain terms . . . . ' So the provisions of this Bill are not the same as the provisions of the Ordinance and certain important changes have been made in the Bill. The Ordinance has been issued under Article 213 (1) which empowers the Governor to issue Ordinances. It is a fact that Article 213 (1) of the Constitution gives power to the Governor to promulgate an Ordinance. But let us see what Article 213 (2) says. It reads as follows :—

' An Ordinance promulgated under this Article shall have the same force and effect as an Act of the Legislature of the State assented to by the Governor, but every such Ordinance—

(*a*) shall be laid before the legislative Assembly of the State, or where there is a Legislative Council in the State, before both the Houses, and shall cease to operate at the expiration of six weeks from the re-assembly of the Legislature, or if before the expiration of that period a resolution disapproving it is passed by the Legislative Assembly and agreed to by the Legislative Council, if any, upon the passing of the resolution or, as the case may be, on the resolution being agreed to by the Council.'

11-45 a.m. " Therefore, the printed copy should be placed before the House and Members should be given an opportunity to discuss it. In this connexion, I would like to read rule 117 of the Assembly Rules whose marginal note itself says ' Discussion of Governor's Ordinance '. It says—

' As soon as possible after the Governor has promulgated an Ordinance under clause (1) of Article 213 of the Constitution, printed copies of such ordinance shall be made available to the members of the Assembly. Within six weeks from the re-assembly of the State Legislature reckoned in accordance with the Explanation to clause (2) of Article 213 of the Constitution, any member may, after giving three clear days' notice to the Secretary, move a resolution disapproving the ordinance and if such a resolution is passed, it shall be forwarded to the other House with a message asking for its concurrence.'

This rule and Article 213 of the Constitution give an opportunity to the House to have a discussion on that Ordinance. It is open to any Member to move a resolution to disapprove of it. In fact, I